




## Department of Energy

Washington, DC 20585

December 8 2010

### MEMORANDUM FOR HUMAN RESOURCE DIRECTORS

**FROM:**

  
SARA J. BONILLA, DIRECTOR  
HUMAN CAPITAL MANAGEMENT

**SUBJECT:**

POLICY GUIDANCE MEMORANDUM #18:  
Advertisement of Federal Career Intern Program (FCIP) Employment  
Opportunities

In accordance with the recent MSPB ruling of *Dean v. OPM and Evans v. Department of Veteran Affairs*, 2010 MSPB 213, dated November 2, 2010, and in consultation with the Office of General Counsel (GC), Servicing Human Resources Offices (SHRO) must provide "sufficient justification" of its placement of positions in, need for, and use of the FCIP in each instance, as specifically described in 5 CFR § 213.3202(o)(10), and must ensure FCIP positions are announced through "public notice". For this intended purpose, public notice is defined as an announcement on USAJOBS.

The *FCIP Recruitment and Selection Requirement* section in the *Federal Intern Program: A Desktop Reference for Managers, Supervisors and Human Resources Professionals*, provides guidance on how this authority should be used in conjunction with mission critical occupations and how justifications should complement the organizations' workforce planning efforts as outlined in 5 CFR § 213.3202(o)(10).

Therefore, effective immediately, all FCIP positions must be advertised **at a minimum** on USAJOBS. SHROs may continue to exercise the use of the FCIP authority and utilize other means of advertisements, as long as these positions are posted on the OPM website. SHROs that fail to comply with this guidance could jeopardize their human resources hiring authority.

The Employment Solutions Divisions (HC-13) will amend the *Federal Intern Program: A Desktop Reference for Managers, Supervisors and Human Resources Professionals* to reflect this guidance.

Questions concerning this matter may be referred to Kimberly Chappell at [kimberly.chappell@hq.doe.gov](mailto:kimberly.chappell@hq.doe.gov) or 202-287-6054.

